IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

CRP.No. 312 of 2007()

PETITIONER /JUDGEMENT DEBTORS 4, 7, 8, 9 & 12

1. KHADAR IBRAHIM, B/O.KANKANI KHADAR, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.
2. KHADAR UMMEN, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.
3. HAJERA, D/O.KHADAR, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.
4. ISHA, D/O.KHADAR, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.
5. SULEHA, D/O.KHADAR, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)

RESPONDENTS: DECREE HOLDER & JUDGEMENT DEBTORS 6 & 10

1. THOMAS MATHEW, MUTTITHOTTATHIL JOLLY BUNGALOW, KOZHENCHEERY MURI, MALAPPUZHASSERRY VILLAGE.
2. KHADAR HAMEED, B/O.KANKANI KHADAR, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.
3. PODI, D/O.KHADAR, POTTAN MALAYIL, KATTOOR MURI, CHERUKOLE VILLAGE.

BY ADV. SMT.SALLY THOMAS CHACKO
ADV.COMMISSIONER SRI.VIVEKANANDAN K.K.
SRI.A.P.CHANDRASEKHARAN (SR)

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 19/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N. KRISHNAN, J.

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C.R.P. NO. 312 OF 2007

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Dated this the 19th day of December, 2007.

O R D E R

The matter is settled between the parties and a compromise petition I.A.2902/07 is filed. The compromise petition is recorded and the CRP is disposed of as follows.

(1) The first respondent, the owner of the decree schedule property has permitted the petitioners and respondents 2 and 3 to remove all the standing trees planted in the property by them except rubber trees numbering 80 newly planted and the arecanut trees.

(2) The parties have also agreed that on removal of these trees except newly planted 80 rubber trees and the arecanut tree, that other trees will be removed within a period of three months from today, 19.12.07.

(3) It is also agreed that for the compensation for the trees which are not cut and removed the amount in Court deposit will be permitted to be collected by the petitioners and respondents 2 and 3.

(4) It is further agreed that other than the first respondent nobody else will have any right over the property after a period of three months from today. It is also agreed after the expiry of the said period of three months from today the property shall be owned and possessed as an absolute owner by the first respondent. The compromise petition shall form part of the order.

The C.R.P. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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